REMARKS/ARGUMENTS

Favorable reconsideration in view of the above amendments and following remarks is respectfully requested.

Claims 1 and 3-12 are currently pending in this application. By this Amendment, Claims 1 and 6-12 are amended; and no claims are canceled or added herewith. It is respectfully submitted that no new matter is added by this Amendment.

In the outstanding Office Action, Claim 8 was rejected under 35 U.S.C. § 112, second paragraph; Claims 1, 3-5, 7 and 10-12 were rejected under 35 U.S.C. § 102 as anticipated by U.S. Patent No. 6,047,376 to Hosoe; and Claims 6, 8 and 9 were rejected under 35 U.S.C. § 103(a) as unpatentable over Hosoe.

With respect to the rejection of the claim under 35 U.S.C. § 112, Claim 8 is amended by the present amendment. Accordingly, withdrawal of the rejection of Claim 8 under 35 U.S.C. § 112, is respectfully requested.

With respect to the rejection of the claims under 35 U.S.C. § 102 and § 103, those rejections are respectfully traversed. Applicant respectfully submits that the applied art does not teach or suggest that at least part of the data downloaded from the server includes a list of selectable content data based on a unique ID, as recited in Claim 1 and similarly recited in the remaining independent claims.

Instead, Hosoe merely discloses that a user sets memory medium 4 to the read-out device 25 and commands device 24 to execute a request to a server which has used the memory medium for a period. The read-out device 25 will, under the control of the CPU 21, read out the server address and identification information A. On the server side, the identification information is received by the access authentication means 17 activated in the CPU 11. Then, the memory medium 4's identification information A is compared to

identification information A stored beforehand in the memory means 16. Depending on the

comparison results, the client 2 is provided access or refused permission.

Accordingly, there is no teaching or suggestion for the features of the claimed

invention discussed above. For example, as set forth at least at page 33, line 10 to page 34,

line 16, the content server acquires a list of content data restricted based on the medium ID

and transmits the list of content data to the user terminal equipment. The content data list is

displayed and the user can observe the display and select desired content data from within the

content data list. The features discussed above are not taught by Hosoe. Accordingly,

withdrawal of the rejection of the claims under 35 U.S.C. § 102 and § 103 is respectfully

requested.

Consequently, no further issues are believed to be outstanding in the present

application, and the present application is believed to be in condition for formal allowance.

A Notice of Allowance for Claims 1 and 3-12 is earnestly solicited.

Should the Examiner deem that any further action is necessary to place this

application in even better form for allowance, the Examiner is encouraged to contact the

undersigned representative at the below listed telephone number.

Respectfully submitted,

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